



OFFICE OF THE POLICE COMMISSIONER
ONE POLICE PLAZA • ROOM 1400

November 1, 2022

Memorandum for: Deputy Commissioner, Trials

Re: **Detective Daniel Jairamsingh**
Tax Registry No. 934335
Brooklyn Court Section
Disciplinary Case No. 2021-24458

The above named member of the service appeared before Assistant Deputy Commissioner Jeff S. Adler on July 25, 2022 and was charged with the following:

DISCIPLINARY CASE NO. 2021-24458

1. Said Detective Daniel Jairamsingh, while off-duty and assigned to the 70th Precinct, on or about December 14, 2021, at a Costco located in Nassau County, New York, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department, in that, said Detective wrongfully stole items from said store.

A.G. 304-06, Page 1, Paragraphs 1

PROHIBITED CONDUCT

Penal Law § 155.25

PETIT LARCENY

2. Said Detective Daniel Jairamsingh, while off-duty and assigned to the 70th Precinct, on or about December 14, 2021, at a Costco located in Nassau County, New York, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department, in that, said Detective wrongfully possessed stolen property from said store.

A.G. 304-06, Page 1, Paragraphs 1

PROHIBITED CONDUCT

Penal Law § 165.40

**CRIMINAL POSSESSION OF
STOLEN PROPERTY IN THE
FIFTH DEGREE**

In a Memorandum dated August 18, 2022, Assistant Deputy Commissioner Jeff S. Adler found Detective Daniel Jairamsingh guilty of all Specifications in Disciplinary Case No. 2021-24458, after Detective Jairamsingh entered a plea of guilty to all Specifications. Having read the Memorandum and analyzed the facts of this matter, I approve of the findings, and agree that Detective Daniel Jairamsingh be separated from the Department by way of vested interest retirement.

Having considered the totality of the circumstances and issues concerning the misconduct for which Detective Daniel Jairamsingh has been found guilty, separation from the Department will be implemented as follows.

In lieu of dismissal, an *immediate* post-trial settlement agreement be implemented with Detective Daniel Jairamsingh in which he shall forfeit thirty (30) suspension days (to be served), forfeit all time and leave balances, be placed on one (1) year dismissal probation, and immediately file for vested interest retirement.

Such vested interest retirement shall also include Detective Daniel Jairamsingh's written agreement to not initiate administrative applications or judicial proceedings against the New York City Police Department to seek reinstatement or return to the Department. If Detective Jairamsingh does not agree to the terms of this vested interest retirement agreement as noted, this Office is to be notified without delay. This agreement is to be implemented *IMMEDIATELY*.


Keechant L. Sewell
Police Commissioner



POLICE DEPARTMENT

August 18, 2022

-----X

In the Matter of the Charges and Specifications :

- against - :

Detective Specialist Daniel Jairamsingh :

Tax Registry No. 934335 :

Brooklyn Court Section :

-----X

At: Police Headquarters
One Police Plaza
New York, NY 10038

Before: Honorable Jeff S. Adler
Assistant Deputy Commissioner Trials

APPEARANCES:

For the Department: Jamie Moran, Esq.
Department Advocate's Office
One Police Plaza
New York, NY 10038

For the Respondent: Marissa Gillespie, Esq.
Karasyk & Moschella, LLP
233 Broadway, Suite 2340
New York, NY 10279

To:

HONORABLE KEECHANT L. SEWELL
POLICE COMMISSIONER
ONE POLICE PLAZA
NEW YORK, NY 10038

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CHARGES AND SPECIFICATIONS

1. Said Detective Specialist Daniel Jairamsingh, while off-duty and assigned to the 70th Precinct, on or about December 14, 2021, at a Costco located in Nassau County, New York, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department, in that, said Detective wrongfully stole items from said store.

A.G. 304-06, Page 1, Para.1

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A.G. 304-06, Page 1, Para.1

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Penal Law § 165.40

CRIMINAL POSSESSION OF
STOLEN PROPERTY IN THE
FIFTH DEGREE

REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on July 25, 2022.

Respondent pleaded Guilty to the subject charges and testified in mitigation of the penalty. A stenographic transcript of the trial record has been prepared and is available for the Police Commissioner's review. Having reviewed all of the evidence in this matter, I find that mitigation is warranted, and recommend a penalty of Forced Separation from the Department, as discussed below.

SUMMARY OF EVIDENCE IN MITIGATION

Respondent admits that on December 14, 2021, he wrongfully stole two items from a Costco store: specifically, he stole an electric razor and a zip-up sweater, with a combined value of more than \$200.00.

At the time of the incident, Respondent was medically restricted, and taking Ramipril for high blood pressure and additional medication for hypertension. When he reported to the District Surgeon on the morning of the incident, his blood pressure was 130/90, a moderately high reading. Respondent testified that he then went to Costco to do some shopping for his family. (Tr. 21-22)

While at Costco, he placed numerous food items inside his shopping cart for purchase. Respondent testified that during the course of his shopping, he also took a Norelco razor from a sealed box and placed the shaver inside his pocket. Additionally, he removed the price tag from a zip-up sweater, and put the sweater on underneath his own jacket. Respondent finished shopping, and paid for the food items in his cart, which totaled roughly \$300; he did not, however, pay for the razor or the sweater. (Tr. 22-23, 27-29, 33-38, 41)

Respondent was stopped by store security. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

According to Respondent, he was not thinking clearly at the time of the incident. He had a lot on his mind: two months before the incident, his cousin, with whom he was very close, passed away, and earlier that same year, his father-in-law passed as well. He attributed his actions inside Costco to a “lapse of judgment,” and insisted, “This is not who I am.” Respondent testified that he knows what he did was wrong; he is sorry for his conduct, and for the shame he has brought upon his family, to the job, and to the community. (Tr. 20-21, 24, 29-31, 41-43)

Respondent also emphasized how much he appreciates working for the NYPD, stating, “I just love serving the community, serving the people.” Before joining the Department, he served in the Marine Corps Reserve. His segue into the Department was a challenging one: after

initially failing to complete the Academy in 2002, he rededicated himself and successfully graduated on his second attempt in 2004. Respondent also noted that for years, he and his family have done volunteer work with charities, helping feed the homeless. (Tr. 14-19, 30-31)

PENALTY

In order to determine an appropriate penalty, this Tribunal, guided by the Department's Disciplinary System Penalty Guidelines, considered all relevant facts and circumstances, including potential aggravating and mitigating factors established in the record. Respondent's employment history also was examined. *See* 38 RCNY § 15-07. Information from his personnel record that was considered in making this penalty recommendation is contained in an attached memorandum. In 2016, Respondent forfeited 30 vacation days and was placed on dismissal probation for charges involving computer misuse. More recently, Respondent has received consistently high performance evaluations, receiving ratings of "Exceeds Expectations" in each of his last three annual performance evaluations.

Respondent, who was appointed to the Department on July 1, 2004, has pleaded guilty to stealing from Costco. The presumptive penalty for conduct that constitutes petit larceny is Termination. However, the Disciplinary Guidelines also provide for a mitigated penalty of Forced Separation where appropriate. The Department Advocate argues that since Respondent intentionally stole items from the store, the presumptive penalty should apply, and there should be no mitigation. Counsel for Respondent asks for a lesser penalty, arguing that this incident was "a blip on the radar" for Respondent, and "should not negate all of the wonderful things he's done personally and professionally."

There is recent case precedent where members of service who have been found guilty of larceny have been permitted to file for vested interest retirement in lieu of outright termination. See, e.g., *Disciplinary Case No. 2019-21194* (Feb. 17, 2022) (Respondent permitted to immediately file for vested-interest retirement after stealing items from a naval submarine base); *Disciplinary Case No. 2017-17713* (July 6, 2020) (Respondent permitted to vest after having been found guilty of stealing an expensive pair of sunglasses from a store).

Here, Respondent has pleaded guilty, and accepted responsibility for his actions. He testified that he understands that what he did was wrong, and is sorry for everything. On the witness stand, it was evident how embarrassed Respondent felt, to the point where he had difficulty recounting the details of what he had done. He was visibly upset as he expressed his deep regret for having let down his family and the community.

Moreover, Respondent came across as genuine as he repeatedly emphasized how much it has meant to him to work for this Department, serving the people of this City and “making a difference in someone’s life.” His good works have extended beyond the job, including having served in the Marine Corps Reserve, and volunteering to help feed the homeless. Respondent submitted two letters (Resp. Exs. A & B), one from an NYPD Inspector and another from a priest, attesting to his hard work and dedication to the job, as well as his good character.

Based on these factors, I agree with Respondent that the mitigated penalty should be imposed here. On the one hand, there is no dispute that Respondent’s actions in this case were egregious; stealing by a member of the service is unacceptable, and separation from the Department is warranted. However, after carefully observing Respondent on the witness stand, and taking into account his 18 years of service to the Department, this incident appears to be an aberration in Respondent’s behavior, and the mitigated penalty of Forced Separation, in lieu of termination, is appropriate. Accordingly, I recommend that the Police Commissioner direct an

immediate post-trial settlement negotiation, allowing Respondent to file for vested-interest retirement, along with whatever additional conditions she deems appropriate.

Respectfully submitted,

Jeff Adler RM

Jeff S. Adler

Assistant Deputy Commissioner Trials

APPROVED

[Signature]
NOV 8 1 2022
KEECHANT L. SEWELL
POLICE COMMISSIONER



POLICE DEPARTMENT CITY OF NEW YORK

From: Assistant Deputy Commissioner – Trials

To: Police Commissioner

Subject: SUMMARY OF EMPLOYMENT RECORD
DETECTIVE SPECIALIST DANIEL JAIRAMSINGH
TAX REGISTRY NO. 934335
DISCIPLINARY CASE NO. 2021-24458

Respondent was appointed to the Department on July 1, 2004. On his three most recent annual performance evaluations, he received overall ratings of “Exceeds Expectations” for 2019, 2020 and 2021.

In 2016, Respondent forfeited 30 vacation days, was placed on one-year dismissal probation, and ordered to comply with counseling after pleading guilty to conducting approximately 345 database inquiries that were unrelated to his assignment or to the official business of the Department.

In connection with the instant matter, Respondent was suspended without pay from December 14, 2021 to January 12, 2022, and was placed on Level 2 Discipline Monitoring on March 3, 2022; that monitoring remains ongoing.

For your consideration.

Jeff S. Adler
Assistant Deputy Commissioner Trials